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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,334	09/30/2003	Zhen Liu	YOR920030104US1	4637
7590 Frederick W. Gibb, III McGinn & Gibb, PLLC Suite 304 2568-A Riva Road Annapolis, MD 21401				
02/11/2008				
EXAMINER				
LIU, LIN				
ART UNIT		PAPER NUMBER		
2145				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**ADVISORY ACTION**

1. This Advisory Action is in regards to the most recent response filed on 12/28/2007.

***Response to Arguments***

2. Applicant's arguments toward the 112 rejections have been fully considered and are persuasive. The 112 rejections have been withdrawn.
3. Applicant's arguments with respect to claims 1, 3-8,10-15,17-21 and 23-31 filed on 12/28/2007 have been fully considered but they are not persuasive.
4. In response to applicant's arguments, the recitation "In addition, the prior art of record does not teach or suggest *"stateless"* group communication." has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).
5. On pages 14-15, Applicant mainly argues that Crawley fails to teach or suggest:  
**A):** creating a header including said encoded distribution tree.  
**B):** adding said header to a data packet to be distributed to said distribution tree.
6. In response to applicant's argument **A)** that "the "ERA header" of Crawley does not include an encoded distribution tree. Rather, the encoded distribution tree in Crawley is positioned in the "body" of the ERA". The examiner disagrees. The

"encoding of a distribution tree" recited in the present claim is not a physical or viewable tree; rather it is a mechanism of encoding a data routing path, which is applied/included to process the header of a data packet. Similarly, in the analogous art of Crawley, he teaches generating an Explicit Routing Advertisement (ERA) data packet containing the calculated distribution tree of data routing information (Crawley, col. 9, lines 55-65 and col. 10, lines 56-60). This teaching is equivalent to processing of the ERA data header. Thus meeting the scope of the claimed limitations as presently recited.

7. In response to applicant's argument **B)** that "Furthermore, the ERA header of Crawley is not added to a data packet to be distributed to the distribution tree." The examiner disagrees. Crawley explicitly teaches generating an Explicit Routing Advertisement (ERA) data packet containing forwarding information and ERA data (Crawley: fig. 11) is distributed to other routers in the network. (Crawley: col. 9, lines 55-65 and col. 10, lines 30-37).

8. In response to applicant's argument toward Mittra's reference individually that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the method of decoding a portion of a distribution tree and re-encoding of a distribution tree as taught by Mittra is incorporated with Crawley's invention

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motivation being that it provides a stronger encryption algorithm in encoding the data transmission of the distribution tree.

### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lin Liu whose telephone number is (571) 270-1447. The examiner can normally be reached on Monday - Friday, 7:30am - 5:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/L. L./

Examiner, Art Unit 2145

/Lin Liu/

Examiner, Art Unit 2145

